

AMENDED IN SENATE AUGUST 17, 2009

AMENDED IN SENATE JULY 13, 2009

AMENDED IN ASSEMBLY JUNE 1, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 402

Introduced by Assembly Member Davis

February 23, 2009

An act to add Section 1308.10 to the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 402, as amended, Davis. Employment: entertainment work permits.

Existing law requires the written consent of the Labor Commissioner for the employment of a minor, as specified, in entertainment productions or as an advertising or photographic model or as a participant or player in a sport. Under existing law, a minor is required to obtain an entertainment work permit from the Labor Commissioner in order to be employed in those capacities.

This bill, *which would be known as the Michael Jackson Child Performers Workplace Protection Act*, would require that a fee of \$50 be submitted at the time the minor applies for the work permit. The bill would specify that the fee be deposited into the Entertainment Work Permit Fund, which would be created by the bill, and would make this fee revenue available to the Labor Commissioner, upon appropriation, for the costs of issuing the permit, enforcing the provisions regulating a minor's employment in fields requiring issuance of an entertainment work permit, and administering the entertainment work permit program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. This act shall be known and may be cited as the*
2 *Michael Jackson Child Performers Workplace Protection Act.*

3 ~~SECTION 1.~~

4 *SEC. 2.* Section 1308.10 is added to the Labor Code, to read:

5 1308.10. To obtain an Entertainment Work Permit pursuant to
6 Section 11753 of Title 8 of the California Code of Regulations,
7 an applicant shall submit to the Labor Commissioner an application
8 and an application fee of fifty dollars (\$50). The Labor
9 Commissioner shall deposit the fee into the Entertainment Work
10 Permit Fund, which is hereby created in the State Treasury.
11 Revenue in the Entertainment Work Permit Fund shall be available
12 to the Labor Commissioner, upon appropriation by the Legislature,
13 to pay for the costs of all of the following:

14 (a) Issuing Entertainment Work Permits.

15 (b) Enforcing the provisions of Section 1308.5, including making
16 at least one unannounced site visit per quarter to a randomly
17 selected set or production facility where one or more children are
18 working under Entertainment Work Permits.

19 (c) Administering the Entertainment Work Permit program,
20 including developing and enhancing an Internet Web site,
21 developing and updating informational materials, and providing
22 training to studio teachers, as defined in Section 11755 of Title 8
23 of the California Code of Regulations, regarding their role in
24 enforcing the requirements of Section 1308.5 and the regulations
25 adopted pursuant thereto.